AO 399 (Rev. 05/00)

TO:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

Laurie Wasserman and Carol Silverman

10.	darie 11 abberman and Ct	doi bii reiiiidii			
(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)					
I, Lynn B. Diebold		, acknowledge	receipt of your request		
(DEFEN	DANT NAME)				
that I waive service of summons in	Bergman v. the action of Schmidt an	. FedEx Corporate Sod Kim Kyler (CAPTION OF ACTION	,		
which is case number	08-C-3386 (DOCKET NUMBER)	in the United	States District Court		
for the Northern District of Illinois.					
I have also received a copy of by which I can return the signed wa			strument, and a means		
I agree to save the cost of serve by not requiring that I (or the entity manner provided by Rule 4.					
I (or the entity on whose behalf jurisdiction or venue of the court ex of the summons.					
I understand that a judgment m	nay be entered against me (or the party on whose	behalf I am acting) if		
an answer or motion under Rule 12	is not served upon you wit		06/19/08 ,		
or within 90 days after that date if t	the request was sent outsid		,		
7-2-08	Lynn 1	(SIGNATURE)	2		
Printed/Typed Name:	LYNN Die	bold			
As Sr. Coursel	of Fed Ex	(CORPORATE DEFENDA	ANT)		

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

Case 1:08-cv-03386 Document 6 Filed 07/09/2008 Page 2 of 6

LAW OFFICES OF LAURIE J. WASSERMAN

JUL 0 7 2008

AO 399 (Rev. 05/00)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

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	(DOCKET NUMBER)		
for the Northern District of Illin	nois.		
I have also received a copy by which I can return the signer	by of the complaint in the action d waiver to you without cost t	No. 1, 1975 April 1975	strument, and a means
I agree to save the cost of by not requiring that I (or the of manner provided by Rule 4.	Service of a summons and an a entity on whose behalf I am a		
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I understand that a judgme	ent may be entered against me	(or the party on whose	e behalf I am acting) if
an answer or motion under Rule	e 12 is not served upon you w		06/19/08 ,
or within 90 days after that date	te if the request was sent outsi	de the United States.	
7-2-08	Lynn Z	Disholl (SIGNATURE)	
Printed/Typed Na	me: LYNN	DIEBULD)
As Sr. Counse	l of Feel	Ex Corporal	teon
(TITLE)	others match	(CORPORATE DEFENI	DANT)

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Case 1:08-cv-03386 Document 6 Filed 07/09/2008 Page 4 of 6
LAW OFFICES OF
LAURIE J. WASSERMAN

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Peter to Avoid University Costs of Service of Summons

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I (or the entity on whose behalf jurisdiction or venue of the court exof the summons.	I am acting) will cept for objection	retain all defenses or objecti ns based on a defect in the s	ons to the lawsuit or to the ummons or in the service
I understand that a judgment m	ay be entered ag	ainst me (or the party on wh	nose behalf I am acting) if
an answer or motion under Rule 12	is not served upo	on you within 60 days after	06/19/08 (DATE REQUEST WAS SENT)
or within 90 days after that date if t	he request was s	ent outside the United State	S.
7-2-08	Line	n Diebo	lol
(DATE)	0	(SIGNATURE)	droil
Printed/Typed Name:	LYNN	DIEBOLD	
As Sr. Counsel (TITLE)	of	Fed Ex Corporate DE	ration FENDANT)

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LAW OFFICES OF LAURIE J. WASSERMAN

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